



Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

COMMITTEE OF ADJUSTMENT

Monday, October 18, 2010 – 7:00 p.m.

Municipal Office Council Chambers, Kenilworth

A G E N D A

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AGENDA ITEM	PAGE NO.
<p><u>Chairman</u></p> <ol style="list-style-type: none">1. Officially open the public meeting.2. Declaration of Pecuniary Interest and General Nature Thereof.3. Minutes, A8-10 (attached)	01
<p><u>APPLICATION A9/10</u></p> <p>Applicant: Mount Forest First Baptist Church Board of Trustees</p> <p>THE LOCATION OF THE SUBJECT PROPERTY is described as Lot 11-12, Part Lot 10, E/S Fergus Street North; Lot 11-12, Part Lot 8-10, W/S Egremont Street North with a civic address of 116 Fergus Street North, Community of Mount Forest. The location of the property is shown on the map attached.</p> <p>THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from section 6.27.8 of the Wellington North Zoning By-law regulating minimum parking requirements for an Institutional use. The applicants are proposing an addition to the existing building on the property and are unable to provide the minimum number of parking spaces required.</p> <ol style="list-style-type: none">4. Secretary Treasurer – notice mailed to surrounding property owners and required agencies on October 6th, 2010 as well as posted on the property.	06

**Committee of Adjustment Agenda
October 18th, 2010 – 7:00 p.m.**

AGENDA ITEM	PAGE NO.
5. Township Planner – Linda Redmond will review the County comments (attached).	07
6. Correspondence/Comments received: Erik Downing, Environmental Planning Technician, SVCA - No objection	08
7. Are there any persons present who wish to make oral and/or written submissions in support of the proposed minor variance? Are there any persons present who wish to make oral and/or written submissions against this application? Those wishing to be notified of decision please leave name and address with secretary-treasurer. Committee: - Comments and questions	

AGENDA ITEM	PAGE NO.
<p><u>APPLICATION A10/10</u></p> <p>Applicant: Shawn Dale Small and Lucinda Gladys Small</p> <p>THE LOCATION OF THE SUBJECT PROPERTY is described as Part of Lot 2, Concession 12 with a civic address of 9590 Lover’s Lane. A single detached dwelling is located on the 0.68 ha (1.7 ac) rural residential property. The location of the property is shown on the map attached.</p> <p>THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from section 6.1.4 ii) of the Wellington North Zoning By-law regulating the maximum floor area for an accessory building of a residential use. The applicant is proposing to construct a detached garage and relief is requested to increase the maximum floor area from 92.9 sq. m (1,000 sq ft.) to 222.96 sq. m (2400 sq. ft). The property is located in an Agricultural (A) zone.</p> <p>8. Secretary Treasurer – notice mailed to surrounding property owners and required agencies on October 6th, 2010 as well as posted on the property.</p> <p>9. Township Planner – Linda Redmond will review the County comments (attached).</p> <p>10. Correspondence/Comments received:</p> <p>Erik Downing, Environmental Planning Technician, SVCA - No objection</p> <p>11. Are there any persons present who wish to make oral and/or written submissions in support of the proposed minor variance?</p> <p>Are there any persons present who wish to make oral and/or written submissions against this application?</p> <p>Those wishing to be notified of decision please leave name and address with secretary-treasurer.</p> <p>Committee:</p> <p>- Comments and questions</p> <p>12. Adjournment.</p>	<p>09</p> <p>10</p> <p>11</p>

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A8/10

The Committee of Adjustment met on Monday, September 27, 2010 at the Kenilworth Municipal Office, at 7:00 p.m.

Members Present: **Chairman:** **Mike Broomhead**
 Ross Chaulk
 Bob Mason
 John Matusinec
 Dan Yake

Also Present: **Secretary-Treasurer, Cathy More**
 Executive Asst., Cathy Conrad

1. The Chairman called the meeting to order.

2. **Disclosure of Pecuniary Interest and General Nature Thereof**

None Reported

3. Minutes

Moved by: **Councillor Chaulk**
Seconded by: **Councillor Mason**

THAT the Committee of Adjustment meeting minutes of September 13, 2010 – A5/10 be adopted as presented.

Resolution No. 1

Carried

The public meeting was held to consider Minor Variance Application A8/10 pursuant to Section 45 of the Planning Act R.S.O. 1990 as amended.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A8/10

Page Two

APPLICATION A8/10

Applicant: Anthony and Jayne Van Gerven

THE LOCATION OF THE SUBJECT PROPERTY is Part Lot 7, Concession 4, Former Township of West Luther with a civic address of 8653 Sideroad 7. A single detached dwelling and storage shed is located on the 5.09 ha (12.6 ac) rural residential property.

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from section 6.1.4 ii) of the Wellington North Zoning By-law regulating the maximum floor area for an accessory building of a residential use. The applicant is proposing to add on to their existing storage shed and relief is requested to increase the maximum floor area from 92.9 sq. m (1,000 sq. ft.) to 125.4 sq. m (1,350 sq. ft.). The property is located in an Agricultural (A) and Natural Environment (NE) zone.

4. The Secretary Treasurer confirmed that notice was mailed to surrounding property owners and required agencies on September 14th, 2010 as well as posted on the property.
5. Township Planner – Mayor Broomhead reviewed the County comments dated June 23, 2010.

The applicant is proposing to increase the size of their existing storage shed from 58.5 m² (630 ft²) to 125.4 m² (1,350 ft²). The subject property is 5.1 ha (12.6 ac) in size and is occupied by a single detached dwelling and storage shed. The application would provide relief from the maximum floor area requirements for an accessory building.

Under the Wellington County Official Plan the subject property is designated PRIME AGRICULTURAL, CORE GREENLANDS and GREENLANDS. Section 13.7 of the Plan provides consideration for minor variances provided the general intent of the Official Plan and Zoning By-law are maintained and the variance is minor and desirable for the appropriate development of the land. Consideration shall be given as to whether compliance with the by-law would be unreasonable, undesirable or would pose an undue hardship on the applicant.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A8/10

Page Three

Under the Wellington North Zoning By-law the subject lands are zoned Agriculture (A) and Natural Environment (NE). Based upon the applicant's sketch and comments received from the GRCA, the proposed expansion is located outside of Natural Environment (NE) zone as stipulated in Section 2.6 of the By-law which states:

"The Natural Environment (NE) zone boundaries identified on the schedules to this Bylaw are intended to generally identify the location of potentially hazardous environmental features. During review of development applications and building permit applications, if necessary, the boundaries of the NE zone shall be more precisely determined in consultation with the Conservation Authority or other agencies having jurisdiction in the area. Where detailed resource mapping and/or site inspection results in a reinterpretation of the limits of the NE zone boundary, all requirements of this by-law shall be reviewed relative to the revised interpretation of the NE Zone boundary, including any applicable setbacks."

The GRCA have conducted a site visit of the subject property and based on the information provided by the applicant, have no objection to the proposed variance. A development permit was issued by the GRCA (No. 426110) on September 9, 2010.

Given the large area of the parcel, the requested expansion of the storage shed is minor in nature. The application would maintain the general intent and purpose of the Official Plan and Zoning By-law, and is desirable and appropriate for the development of the subject property.

The Planner recommended that the approval be subject to the following conditions:

1. That the accessory building is intended for personal use and not for commercial purposes; and
2. That the storage shed extension is located as illustrated on the site plan submitted as part of GRCA development permit No. 426/10.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A8/10

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6. Correspondence/Comments received:
- Liz Yerex, Resource Planner, GRCA
 - No objection
 - Grand River Conservation Authority
 - Permit Number: 426/10

7. Questions/Comments

Persons present who wish to make oral and/or written submissions in support of the proposed minor variance?

Mr. Van Gerven was present to answer any questions regarding the application.

Persons present who wish to make oral and/or written submissions against this application?

None present.

Those wishing to be notified of the decision were asked leave their name and address with the secretary-treasurer.

Committee – Comments and Questions

Councillor Chaulk commented that the application seems minor.

Councillor Yake question if the landowner is okay with the conditions. The applicant responded that he was okay with the conditions.

TOWNSHIP OF WELLINGTON NORTH

COMMITTEE OF ADJUSTMENT

A8/10

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Moved by: Councillor Mason
Seconded by: Councillor Matusinec

THAT the minor variance applied for in Application A8/10 be authorized.

Resolution No. 2

Carried

8. Adjournment

Moved by: Councillor Chaulk
Seconded by: Councillor Mason

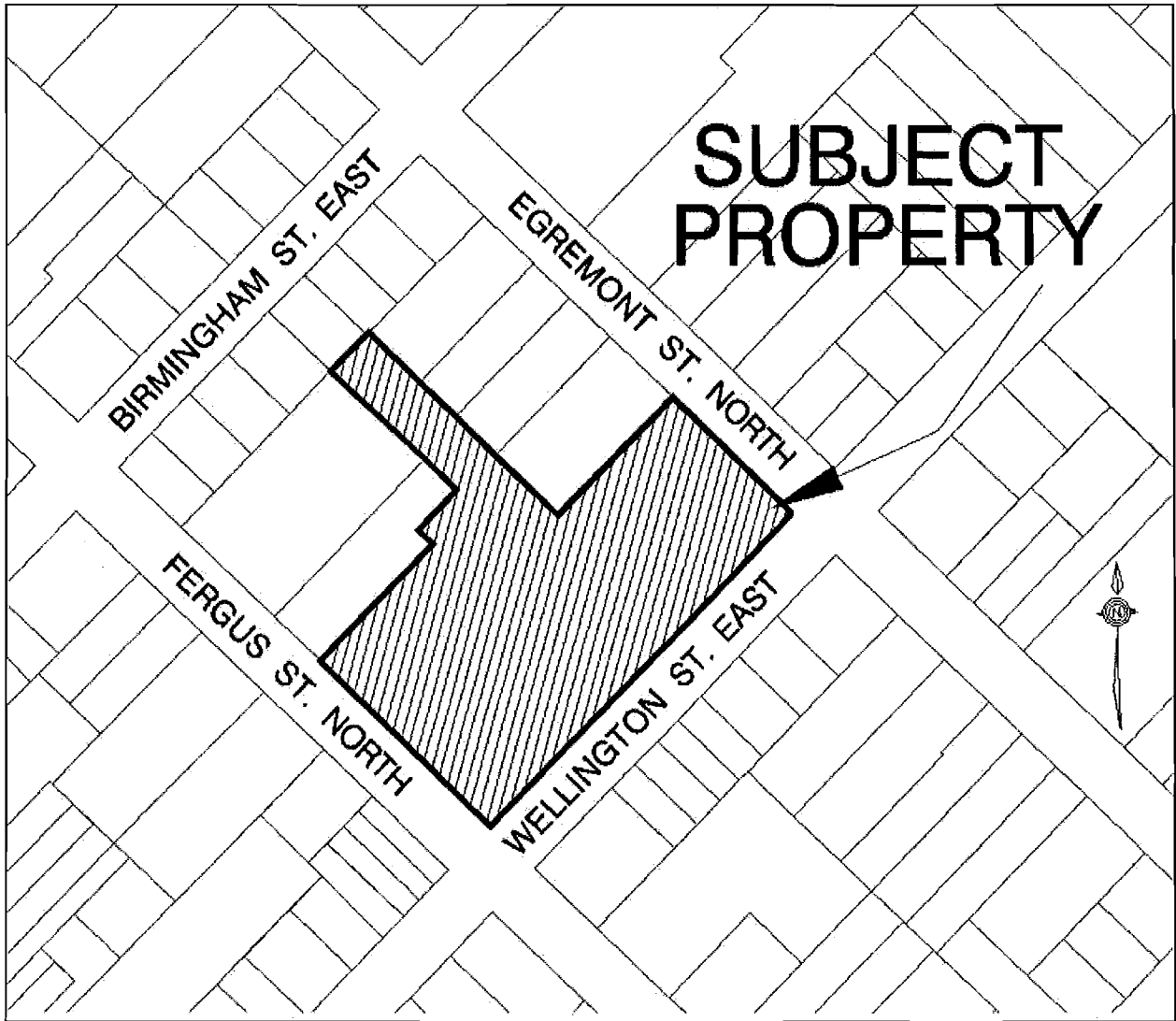
That the Committee of Adjustment meeting of September 27, 2010 be adjourned.

Resolution No.

Carried

Secretary Treasurer

Chairman





COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
GARY A. COUSINS, M.C.I.P., DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

October 12, 2010

Mr. Darren Jones, Building Inspector
Township of Wellington North Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, ON N0G 2E0

Dear Mr. Jones,

Re: **Minor Variance Application A9/10**
116 Fergus Street North, Mount Forest
Mount Forest First Baptist Church

We have reviewed the application for minor variance and provide the following comments.

Planning Opinion: The variance requested would provide relief from the minimum parking requirement for a place of worship from 102 spaces to 70 spaces. The Committee should be satisfied that this reduction can be justified and that there will be adequate on-site parking for this use. It should be noted that the site plan submitted with the application does not provide dimensions for the parking stalls and aisle widths, therefore staff cannot confirm that the 70 parking spaces as shown on the site plan meet the requirements of the zoning by-law. Further the circular driveway located at the intersection of Fergus and Wellington Streets does not meet the requirements of the zoning by-law and could pose a safety issue. This driveway should be redesigned.

The Committee should be satisfied that the proposed variance would maintain the general intent and purpose of the Official Plan and Zoning By-law, and is desirable and appropriate for the development of the subject property.

Wellington County Official Plan: The subject property is designated RESIDENTIAL (Mount Forest Urban Centre) in the County of Wellington Official Plan. Section 13.7 of the Plan provides consideration for minor variances provided the general intent of the Official Plan and Zoning By-law are maintained and the variance is minor and desirable for the appropriate development of the land. Consideration shall be given as to whether compliance with the by-law would be unreasonable, undesirable or would pose an undue hardship on the applicant.

Wellington North Zoning By-law: The subject lands are zoned Institutional (IN) and are occupied by a former school that has been converted to a church use. The applicants are proposing to construct a 650 sq.m (6996.5 sq.ft.) sanctuary addition which will bring the total gross floor area of the church, hall, offices and classrooms to 3160 sq.m (34,000 sq.ft.). The parking requirement is based on the gross floor area of the sanctuary and hall only. As such the total parking required for this use is 102 spaces, whereas 70 spaces are to be provided. The variance required is for a deficiency of 32 spaces.

I trust that these comments will be of assistance to the Committee.

Yours truly,

Linda Redmond, B.A.
Planner



261123 Grey Rd. 28
Municipality of West Grey
(former Normanby Twp.)

Mailing Address:
R.R. 1, Hanover, ON
Canada N4N 3B8

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October 12, 2010

RECEIVED

OCT 12 2010

TWP. OF WELLINGTON NORTH

Township of Wellington North
7490 Sideroad 7, W
Kenilworth, ON
N0G 2E0

ATTENTION: Darren Jones, Building/Zoning Dept.

Dear Mr. Jones:

RE: Proposed Minor Variance A9/10
Lot 11-12, Part Lot 10, E/S Fergus Strett North, Lot 11-12, Part Lot
8-10, W/S Egremont Street North, 116 Fergus St.
Geographic Town of Mount Forest
Township of Wellington North

The Saugeen Valley Conservation Authority (SVCA) has reviewed this proposed minor variance in accordance with the SVCA's mandate and policies and the Memorandum of Agreement between the Authority and the County of Wellington with respect to Plan Review. The SVCA has no objection to the approval of this proposed minor variance.

For this particular property, there are no natural heritage features or natural hazards affecting the property.

All of the plan review functions listed in the agreement have been assessed with respect to this proposed minor variance, the Authority is of the opinion that the proposed minor variance appears to comply with the relevant policies of the Wellington Official Plan and Provincial Policies referred to in the agreement.

We trust this information is helpful. Should questions arise, please do not hesitate to contact this office.

Yours sincerely,

Erik Downing
Environmental Planning Technician

ED/

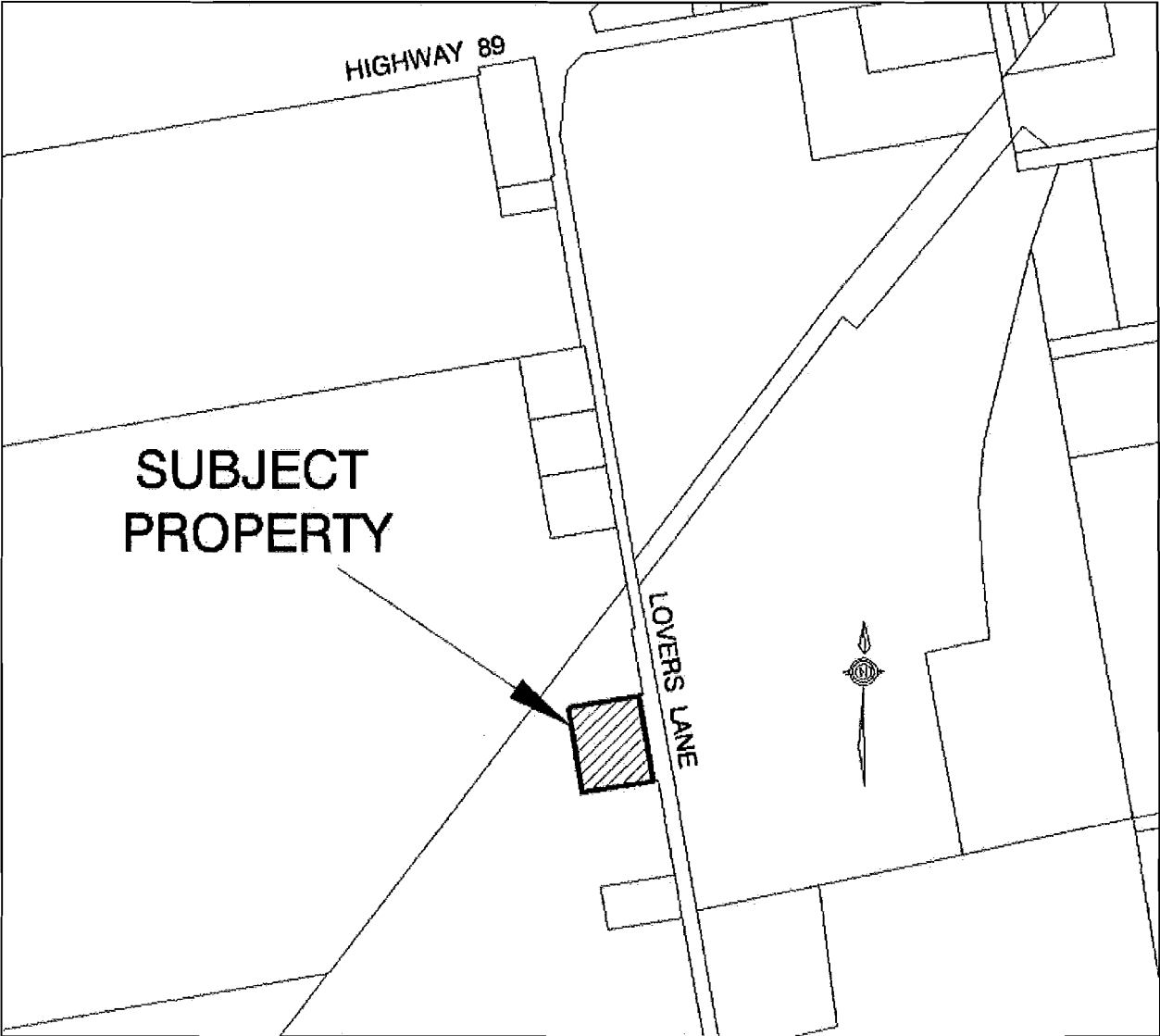
cc: Mark MacKenzie, SVCA Director, via email

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COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
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October 12, 2010

Mr. Darren Jones, Building Inspector
Township of Wellington North Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, ON N0G 2E0

Dear Mr. Jones,

Re: **Minor Variance Application A10/10**
Part Lot 2, Concession 12
9590 Lovers Lane
Small

We have reviewed the application for minor variance and provide the following comments.

Planning Opinion: The variance requested would provide relief from the maximum floor area requirement for a detached accessory structure on a reduced agricultural lot (apprx. 1.72 ac.). The proposed garage will be 2400 sq.ft., whereas the by-law allows 1000 sq.ft. The building will comply with all other requirements for an accessory structure.

We have no concerns with the relief requested. The application would maintain the general intent and purpose of the Official Plan and Zoning By-law, and is desirable and appropriate for the development of the subject property. The Committee should be satisfied that the proposed accessory building is intended for personal use and not for commercial purposes.

Wellington County Official Plan: The subject property is designated PRIME AGRICULTURAL. Section 13.7 of the Plan provides consideration for minor variances provided the general intent of the Official Plan and Zoning By-law are maintained and the variance is minor and desirable for the appropriate development of the land. Consideration shall be given as to whether compliance with the by-law would be unreasonable, undesirable or would pose an undue hardship on the applicant.

Wellington North Zoning By-law: The subject lands are zoned Agricultural. The property is currently occupied by a residence and the applicants are proposing to construct a 40 ft. x 60 ft. garage. Section 6.1.4 (ii) of the By-law allows a maximum floor area for an accessory building of 1000 sq.ft. As such the following relief is being requested:

1. A maximum allowable floor area for a detached accessory structure of 2400 sq.ft., whereas the by-law allows 1000 sq.ft.

Based on the provided sketch the accessory structure will comply with all setbacks requirements. I trust that these comments will be of assistance to the Committee.

Yours truly,

Linda Redmond, B.A.
Planner



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Municipality of West Grey
(former Normanby Twp.)

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October 12, 2010

Township of Wellington North
7490 Sideroad 7, W
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N0G 2E0

ATTENTION: Darren Jones, Building/Zoning Dept.

Dear Mr. Jones:

RE: Proposed Minor Variance A10/10
Part Lot 2, Concession 12, 9590 Lovers Lane
Geographic Township of Arthur
Township of Wellington North

The Saugeen Valley Conservation Authority (SVCA) has reviewed this proposed minor variance in accordance with the SVCA's mandate and policies and the Memorandum of Agreement between the Authority and the County of Wellington with respect to Plan Review. The SVCA has no objection to the approval of this proposed minor variance.

The SVCA understands the proposed detached garage will be located to the north of the existing dwelling. Should construction or site alterations be proposed to the south of the existing dwelling, the SVCA should be contacted prior to that work commencing. For this particular proposal, there are no natural heritage features or natural hazards affecting the proposed.

All of the plan review functions listed in the agreement have been assessed with respect to this proposed minor variance, the Authority is of the opinion that the proposed minor variance appears to comply with the relevant policies of the Wellington Official Plan and Provincial Policies referred to in the agreement.

We trust this information is helpful. Should questions arise, please do not hesitate to contact this office.

Yours sincerely,

Erik Downing
Environmental Planning Technician

ED/

cc: Mark MacKenzie, SVCA Director, via email

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